

Richard D. Payne, P.E., S.E.
President

February 9, 2004

Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

Attn: Mr. Tom Zeinz

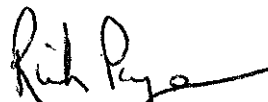
Re: Grade Crossing Study
Site #3 - Neoga Cemetery
ESCA Job #750.03

Dear Mr. Zeinz:

Enclosed are the cost estimates for three options studied for closing the crossing that enters the cemetery just south of Neoga. Per our proposal, the Railroad is to select an option for us to survey and study further. Based upon initial cost, Option 2 is the most economical.

We are prepared to commence the survey upon your selection of an Option.

Regards,
ESCA CONSULTANTS, INC.



Richard D. Payne, P.E., S.E.
President

RDP/de

Enclosures

Grade Crossing at Neoga Cemetery

Construction Cost Estimate

Option 1 – Along Existing RR ROW

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
1. Scarify, Lime Stabilize, & Compact Existing Soils	8,000 SY	\$ 55,000
2. Clearing and Grubbing	3 Acres	30,000
3. Earth Excavation	5,000 CY	20,000
4. Borrow Excavation	10,000 CY	100,000
5. Aggregate Base Course	1,800 CY	75,000
6. A-3 Asphalt Surface	8,000 SY	35,000
7. 18" RCP	160 LF	8,000
8. Seeding/Clean up	1 LS	<u>5,000</u>
	Total	\$328,000

Grade Crossing at Neoga Cemetery

Construction Cost Estimate

Option 2 – Extend City Street Through Farm Field

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
1. Scarify, Lime Stabilize, & Compact Existing Soils	6,500 SY	\$ 45,000
2. ROW	4 Acres	30,000
3. Earth Excavation	4,000 CY	15,000
4. Borrow Excavation	8,000 CY	80,000
5. Aggregate Base Course	1,500 CY	60,000
6. A-3 Asphalt Surface	6,500 SY	30,000
7. 18" RCP	160 LF	8,000
8. Seeding/Clean up	1 LS	<u>4,000</u>
	Total	\$272,000

Grade Crossing at Neoga Cemetery

Construction Cost Estimate

Option 3 – New Street Along Section Line

<u>Item</u>	<u>Quantity</u>	<u>Cost</u>
1. Scarify, Lime Stabilize, & Compact Existing Soils	11,500 SY	\$ 80,000
2. ROW	7 Acres	50,000
3. Clearing and Grubbing	1 Acre	10,000
4. Earth Excavation	7,000 CY	25,000
5. Borrow Excavation	14,000 CY	140,000
6. Aggregate Base Course	2,500 CY	150,000
7. A-3 Asphalt Surface	11,500 SY	50,000
8. 18" RCP	280 LF	14,000
9. Seeding/Clean up	1 LS	<u>7,000</u>
	Total	\$526,000

ESCA CONSULTANTS, INC.

2008 Linview Avenue
PO Box 159
Urbana, IL 61803-0159
Phone: 217-384-0505 Fax: 217-384-0506
www.escaconsultants.com

LETTER OF TRANSMITTAL

We are sending you

- ☒ Attached
☐ Under separate cover

To: Tom Zeinz
Canadian National Railway

Date: 11/4/2003

- ☐ Shop Drawings
☐ Prints
☐ Plans
☐ Samples
☐ Specs
☐ Change Order
☒ Other

Re: CN Grade Crossings

Job #: 750.00

From: Rich Payne

- ☐ For approval
☒ For your use
☐ As requested
☐ For review & comment

Copies	Date	No.	Description
1			Signed Work Order

- ☐ Approved
☐ Approved as Noted
☐ Rejected
☐ Revise and Resubmit

Remarks:

cy: D. A. LOWE
D. E. KENNEY
J. C. BINDER
J. E. TUCKETT

AS INFO

TRZ 11
6

CC: M. BARRON

COPY TO: files



United States Region

Tom Zeinz
Manager Public Works

17641 South Ashland Avenue
Homewood, Illinois 60430-1345
T 708.332.3557
F 708.332.3514

Homewood, IL
October 20, 2003
93/3
184/3
X167/3

Mr. Richard D. Payne, P.E., S.E.
President
ESCA Consultants, Inc.
2008 Linview Avenue
P.O. Box 159
Urbana, IL 61803-0159

Subject: Railroad Crossing Proposal

Dear Mr. Payne:

Your proposal of September 22, 2003, copy attached, involving field surveys, studies, preliminary design and cost estimates for grade crossing closure options at five (5) locations is hereby accepted subject to the following:

A) Deliverables shall include:

- 1) Six (6) copies each of the preliminary plan and preliminary cost estimate for each location suitable for supporting petition(s) to the Illinois Commerce Commission;
- 2) For each location, if one or more alternative alignments were considered, a schematic or description of each of the alternative alignments and a brief write-up explaining the selection of the preferred alignment;
- 3) *For each crossing proposed to be closed (Sites 1-4), development of the information required by 625 ILCS 5/18c-7401 including:
 - a) timetable speed of passenger trains;
 - b) distance to an alternate crossing (i.e., adverse travel distance, both with and without the proposed connector road);
 - c) accident history for the last 5 years;
 - d) number of vehicular traffic (AADT) and posted speed limits;
 - e) number of freight trains (average per day) and their timetable speeds;
 - f) the type of warning device present at the grade crossing;
 - g) alignments of the roadway and railroad, and the angle of intersection of those alignments;
 - h) use of the grade crossing by trucks carrying hazardous materials, vehicles carrying passengers for hire, and school buses; and
 - i) use of the grade crossing by emergency vehicles.

*Railroad personnel will assist as required in the development of this information, including providing the number and speed of trains, also railroad ROW and

Mr. Richard D. Payne
ESCA Consultants, Inc.
October 30, 2003
Page 2

alignment maps. Other sources may include the Illinois Commerce Commission staff (for accident history data), IDOT and/or Township officials (for AADT info), local school district officials, "911" service providers, etc.

B) Work is to be progressed in accordance with the following priorities:

- 1) Site 1
- 2) Site 3
- 3) Site 4
- 4) Site 2
- 5) Site 5

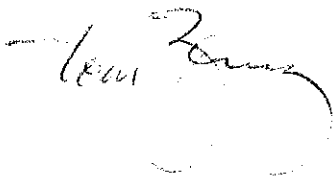
C) Period for Completion: 150 calendar days.

D) Each Site to be invoiced separately upon completion of deliverables and acceptance by Railroad for said Site. Send invoices to:

Illinois Central Railroad Company
Attn: Tom Zeinz, Manager Public Works
17641 S. Ashland Avenue
Homewood, IL 60430

If satisfactory, please sign and return one copy of the attached Work Order. Should you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Zeinz", is written over a faint circular stamp or watermark.

ILLINOIS CENTRAL RAILROAD COMPANY

Work Order

CONTRACT NO. IL – PW- 0301

Agreement made as of the 31st day of October, 2003, between Illinois Central Railroad Company (hereinafter referred to as "Railroad") and ESCA Consultants, Inc. of 2008 Linview Avenue, P. O. Box 159, Urbana, Illinois 61803-0159, hereinafter referred to as "Contractor").

The parties to this Agreement agree as follows:

SECTION I – DESCRIPTION OF WORK

Contractor shall perform and/or furnish the following described work and material at various locations:

- a. Work – see attached proposal and cover letter
- b. Material – see attached proposal and cover letter
- c. Period for Completion – see attached proposal and cover letter
- d. Proposal attached hereto dated September 22, 2003

In the event of a conflict between the terms of this Agreement and the attached proposal, the terms of this Agreement shall control.

If work is not completed within the period set forth above, Railroad may terminate this Agreement upon notice to Contractor.

SECTION II – CONTRACT PRICE

The total contract price is \$20,000. Railroad shall pay Contractor in accordance with the attached cover letter, provided Contractor gives satisfactory assurance to Railroad that all labor and material has been paid and all liens or claims for labor or material supplied have been waived.

SECTION III – CLEANING UP

Contractor shall remove from Railroad's property all temporary structures, rubbish and waste materials resulting from the work and clean up such property and leave same in a safe, neat and orderly condition satisfactory to Railroad.

SECTION IV – RAILROAD SERVICES AND FACILITIES

Contractor shall use special care and vigilance to avoid damage to the trains, tracks or other facilities of Railroad and shall conduct the work so as not to interfere with the movement of trains or other operations of Railroad.

SECTION V – LAWS AND ORDINANCES

Contractor shall comply with all laws relating to, as well as each and every order, permit, priority, rule and regulation of every Government Agency having jurisdiction over the work to be performed.

SECTION VI – INDEMNITY

Contractor shall defend, indemnify and save harmless Railroad, its officers, employees and agents and assume all risk, responsibility and liability for death of, or injury to any persons or property together with all liability for any expenses, attorneys' fees and costs incurred by Railroad arising from, growing out of or in any manner or degree directly or indirectly caused by, attributable to, or resulting from the work to be performed by Contractor or the acts of omission or presence of Contractor's officers, employees or agents notwithstanding any negligence of Railroad, its officers, employees and agents.

SECTION VII – TRANSFER OF TITLE

Title to the materials sold under this Agreement, if any, shall pass to Railroad on payment of the Contract Price.

SECTION VIII – RELATIONSHIP OF PARTIES

Contractor and its employees are not to be considered agents or employees of Railroad for any purpose whatsoever.

SECTION IX – WARRANTY

Contractor warrants that all work performed herein will be done in a good and workmanlike manner fit for the particular purpose intended, and that it warrants all work and material supplied for a period of one (1) year after acceptance. Contractor shall further assign to Railroad all manufacturer or other applicable warranties.

SECTION X – WHOLE AGREEMENT

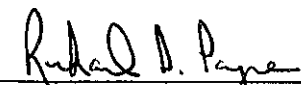
This instrument, including the proposal attached hereto, embodies the entire Agreement of the parties and supersedes all oral or written previous communications between them.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

ILLINOIS CENTRAL RAILROAD COMPANY

By: 
Title: Manager Public Works

ESCA CONSULTANTS, INC.

By: 
Title: President



CIVIL & STRUCTURAL ENGINEERS

Richard D. Payne, P.E., S.E.
President

September 22, 2003

Mr. Tom Zeinz
Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

Re: Railroad Crossing Proposal

Dear Mr. Zeinz:

Per your request, ESCA Consultants (ESCA) is pleased to provide this proposal for engineering services to the Canadian National (CN). The work involves field surveys, studies, and cost estimates for closure options at five grade crossing locations. Two are near Buckley, Illinois, two are near Neoga, Illinois, and one is near Dieterich, Illinois. We met with Jim Bender on Friday, September 19, and visited all five locations with him.

ESCA will be paid for the work on a time and expenses basis, using our standard hourly rates. Our total compensation for each site will not exceed the upper limits noted herein, unless the scope of work is altered and payment of additional compensation is authorized by CN. A brief description of each site, our compensation upper limit, and our associated work scope follows:

- Site No. 1 is about two miles north of Buckley, Illinois. The plan is to close the crossing at Township Road 950N, and build a connector road along the west side of the railroad ROW to the next road to the north, a distance of about 1/2 mile. ESCA will provide a cursory field survey, preliminary design, and cost estimate. The preliminary design will include preliminary plan/profile views and a typical section. Our fee for this site will not exceed \$2,500.
- Site No. 2 is about three miles south of Buckley, Illinois. The plan is to improve a private crossing across U.S. Route 45 from the Isles Tavern, and build a connector from it along the west side of the ROW to the Township Road that is just a few hundred feet to the south. The crossing at the Township Road would be closed. ESCA's work scope will be the same as for Site No. 1. Our fee will not exceed \$1,500.
- Site No. 3 involves access to the cemetery just south of Neoga, Illinois. A dangerous crossing exits U.S. Route 45 and crosses the railroad directly east of the cemetery. Three options to allow closure of this crossing will be studied. One involves construction of a road along the west side of the CN ROW from the south edge of town to the cemetery, a distance of about 1/2 mile. The second extends a City street through a farmer's field. This route is also about 1/2 mile long. The third involves construction of about one mile of new road along the

north-south section line just west of the cemetery. Initially, ESCA will provide a very preliminary cost estimate for all three options. After an option is selected for further study, we will provide a cursory field survey and preliminary design as outlined previously for Sites 1 and 2. Our upper limit fee will not exceed \$4,500.

- Site No. 4 is about two miles south of Neoga, Illinois. The plan is to provide a new connector road along the west side of the CN ROW between Township Road 900N, and the next road to the south. The connector will be about a mile long. The crossing at 900N will be closed. ESCA's scope of work will be similar to that proposed for Site No. 1 above. Our fee for this site will not exceed \$3,000.
- Site No. 5 is located just NW of Dieterich, Illinois, at the corner where Sections 3, 4, 9, and 10 come together. Two Township Roads cross the CN at this point. Both crossings have horizontal and vertical geometric deficiencies. They also intersect with Illinois Route 33 just after they cross the railroad. ESCA proposes to perform a field survey of this site. We will meet with Illinois Department of Transportation, District 7 (IDOT 7) personnel to discuss the situation, including any improvements that IDOT 7 has planned for the area. We will study the site, and provide a recommended plan view drawing and cost estimate for the option that we believe best addresses the problem. Our fee for this site will not exceed \$8,500 for the scope of work outlined above for Site No. 5.

We appreciate the opportunity to submit this proposal, and look forward to working with the Railroad on these projects. If you have any questions, please contact this office.

Regards,
ESCA CONSULTANTS, INC.

Rich Payne ^{AKTD}

Richard D. Payne, P.E., S.E.
President

RDP/de



CIVIL & STRUCTURAL ENGINEERS

Richard D. Payne, P.E., S.E.
President

October 4, 2004

Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

Attn: Mr. Tom Zeinz

Subject: Engineering Services – Grade Crossing Study – Site #3
ESCA Job #750.03 Invoice #3
Vendor #138938

STATEMENT OF SERVICES
(September 1 – September 30, 2004)

LABOR:

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Marie Santos	28.0	\$50.00	\$ 1,400.00
LABOR SUBTOTAL =			\$ 1,400.00

EXPENSES:

Postage:	\$ 0.00
Printing:	\$ 22.00
Travel:	\$ 0.00

EXPENSE SUBTOTAL = \$ 22.00

TOTAL = \$ 1,422.00

APPROVED: T.R. Zeinz
10-15-04

Submitted by:


ESCA Consultants, Inc.



CIVIL & STRUCTURAL ENGINEERS

Richard D. Payne, P.E., S.E.
President

September 9, 2004

Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

Attn: Mr. Tom Zeinz

Subject: Engineering Services – Grade Crossing Study – Site #3
ESCA Job #750.03 Invoice #2
Vendor #138938

STATEMENT OF SERVICES
(August 1 – August 31, 2004)

LABOR:

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Rich Payne	6.0	\$85.00	\$ 510.00
Rich Tarantino	4.5	\$50.00	225.00
Heather Gorrell	32.5	\$40.00	1,300.00
Jason Kofoot	33.0	\$60.00	\$ 1,980.00
LABOR SUBTOTAL =			\$ 4,015.00

EXPENSES:

Postage:	\$ 0.00
Printing:	\$ 0.00
Travel:	\$ 142.50

EXPENSE SUBTOTAL = \$ 142.50

TOTAL = \$ 4,157.50

APPROVED: *T.R. Zeinz*
10/15/04

Submitted by: *Richard D. Payne*

ESCA Consultants, Inc.



CIVIL & STRUCTURAL ENGINEERS

Richard D. Payne, P.E., S.E.
President

March 2, 2004

Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

Attn: Mr. Tom Zeinz

Subject: Engineering Services – Grade Crossings, Site #3
ESCA Job #750.03 Invoice #1
Vendor #138938

STATEMENT OF SERVICES
(February 1 – February 29, 2004)

LABOR:

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Richard Payne	8.0	\$80.00	\$ 640.00
Marie Santos	15.0	\$45.00	\$ 675.00

LABOR SUBTOTAL = \$ 1,315.00

EXPENSES:

Postage:	\$ 0.00
Printing:	\$ 0.00
Travel:	\$ 0.00

EXPENSE SUBTOTAL = \$ 0.00

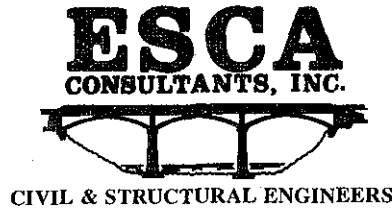
TOTAL = \$ 1,315.00

Prev. Invoiced: \$ 0.00
Total to Date: \$1,315.00

Drop
138529

Submitted by: _____

ESCA Consultants, Inc.



Richard D. Payne, P.E., S.E.
President

November 2, 2004

Canadian National Railway
17641 South Ashland Avenue
Homewood, IL 60430-1345

Attn: Mr. Tom Zeinz

Subject: Engineering Services – Grade Crossing Study – Site #3
ESCA Job #750.03 Invoice #4
Vendor #138938

STATEMENT OF SERVICES
(October 1 – October 31, 2004)

LABOR:

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Cost</u>
Marie Santos	20.0	\$50.00	\$ 1,000.00
LABOR SUBTOTAL =			\$ 1,000.00

EXPENSES:

Postage:	\$ 0.00
Printing:	\$ 0.00
Travel:	\$ 0.00

EXPENSE SUBTOTAL =	\$ 0.00
TOTAL =	\$ 1,000.00

TOTAL
PLEASE PROCESS FOR PAYMENT,
SAME AS PREVIOUS. THIS
IS FOR WORK RELATED TO
PRELIM ENGR'G FOR EXAMINING
CROSSING AT MP 185.0,
CHAMPAIGN SUB. @ NEOGA, IL.

T.R. ZEINZ
11/11

Submitted by: *[Signature]*
ESCA Consultants, Inc.

APPROVED
T.R. Zeinz
11/11/04

STATE OF ILLINOIS



cy: J.C. BINDER
D.J. PAINTER
G.L. PARIS
M. BARRON

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

June 21, 2002

Ms. Patricia D. Erhart
Neoga City Clerk
P.O. Box 248
Neoga, IL 62447-0248

AS info
TRZ 6/24

RE: DOT 289 160P, MP 185.00-M, 950N/TR67, South of Neoga, Cumberland Co.

Dear Ms. Erhart:

This is in response to your email message of June 12, 2002, regarding existing conditions at the TR 67 (950N) crossing of the Canadian National Illinois Central Railroads' (CNIC) main tracks near Neoga, Cumberland County. Thank you for submitting the concerns of your community regarding the subject crossing.

This office has been working to improve conditions at the 950N crossing, as well as the TR 85A (850N) and TR85 (900N) crossings, since 1996. Representatives of this office have met with community leaders, including Senator Duane Noland, on several occasions to discuss the options available that would improve safety at all three crossings. Our recommendation has been, as stated on several occasions to representatives of Neoga, Cumberland County, and Neoga Township, that a project to improve safety at all three crossings as a group was the best option.

On several occasions this office has presented safety recommendations for the 850N, 900N, and 950N crossings to local officials. In 1996, we recommended the installation of automatic flashing light signals and gates at the 850N crossing, closure of the 900N and 950N crossings, with construction of a connecting road from 950N into the City of Neoga and between the 900N and 850N roadways. Following further discussion, this office submitted a revised safety recommendation to local officials in early 2001. The revised safety recommendations clarified our earlier recommendations, and remained consistent with our position that safety improvements at all three crossings should be addressed together as a group.

Representatives of the City, the Township, and the County have indicated to us on several occasions that they do not agree with our safety improvement recommendations. However, this office continues to believe the safety recommendations we have presented to local officials in the past are appropriate to best address existing conditions at the three crossing locations.

We have included safety improvements for the 850N, 900N, and 950N crossings in the FY 2004-2007 element of Commission's FY 2003-2007 Crossing Safety Improvement Program. The proposed project scope remains the same as described previously.

Ms. Patricia D. Erhart
June 21, 2002
Page Two

If you, and the other local officials involved, wish to reconsider our recommendations, please contact this office. In addition, if you or the other local officials have any new safety improvement options to discuss, please let us know. We remain willing to assist local officials with implementing safety improvements at the subject crossings.

I trust this information will be helpful. If you have any questions, please contact me at mstead@icc.state.il.us or (217) 557-1285. You may also contact Joe VonDeBur, Railroad Safety Specialist, at jvondebu@icc.state.il.us or (217) 557-1286.

Very truly yours,



Michael E. Stead
Rail Safety Program Administrator

cc: Senator Duane Noland
David Johnston, Neoga Township
Gary Kruger, Cumberland County Engineer
Tom Zeinz, CNIC

JJV

FACSIMILE TRANSMITTAL

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION

RAILROAD SECTION
527 E. CAPITOL AVE.
SPRINGFIELD, ILLINOIS 62701
TELEPHONE (217) 782-7660
FAX (217) 785-7404

DATE: January 15, 2002 TIME: 12.45 p.m.

TO:
NAME: Tom Zeinz
COMPANY: Canadian National/Illinois Central Railroad Company
FAX NUMBER: (708) 206-3084

COMMENTS:

Attached is correspondence regarding the Neoga crossings in Cumberland County. I would also suggest that the CNIC attorney acquire copies of the crossing files.

FROM:

NAME: Joe VonDeBur
Rail Safety Specialist

(217) 557-1286

14 PAGES WILL FOLLOW THIS TRANSMITTAL SHEET

IF ALL OF THE PAGES ARE NOT RECEIVED OR THERE IS ANY OTHER
PROBLEM WITH THIS TRANSMITTAL, PLEASE CALL:

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

, 2001

The Honorable Duane Noland

RE: Richard C. Jahraus, Neoga, Illinois

Dear Senator Noland:

This letter is in response to the referenced citizens letter copied to this office on April 6, 2001. As you can see from the attached correspondence to your office, dated November 22, 2000, the discussion of crossing closure and/or improvements has been a topic of discussion since 1996 (at least). Nothing has changed since the November of 2001. There are currently no plans for safety improvements or closures in the Neoga area. If a petition is filed for either improvements or closures, there will be a public hearing to determine if either is justified.

To be signed by Michael Baer

Draft

LEGISLATIVE CORRESPONDENCE SHEET

LOG NUMBER: L00-C197 (revisited)
ASSIGNED TO: RR
LEGISLATOR: Senator Duane Noland (Jahraus)
DATE DUE: 5/16/01
RE: Neoga Crossings - closures

Please return this slip to Cassie Washko to close log.

- ☐ Draft response for Chairman's signature; send response via e-mail to Cassie Washko.
- ☐ Draft response for Executive Director's signature; e-mail to Cassie.
- ☒ Draft response for Michael Baer's signature; send via e-mail.
- ☐ Other:

Comments: Mike/Joe – we responded to Sen. Noland back in November regarding a 1st letter sent him by Richard Jahraus RE: Neoga crossings. Attached is Richard's 2nd letter and corresponding newspaper articles. I know this is an ongoing issue. Can you draft another response for the Senator to send back to Jahraus? Thanks, Cassie

RECEIVED
APR 06 2001

N. Duane Noland
State Senate

ILLINOIS COMMERCE COMMISSION
OFFICE OF LEGISLATIVE AFFAIRS

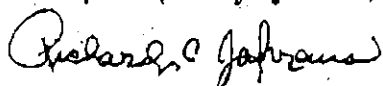
You can see by these articles, the CNN/ILL CENTRAL wants to close two crossings south of Neoga, Illinois. They want a road built north from the cemetery to Neoga. They also want a road built from crossing (900 N to 850N). This will cause families and school buses an extra mile every RT to Neoga. It will mean a lot of extra miles over time. These families protest driving south to go north.

The railroad has a lot of storage cars on this track and it would save them from having to cut these cars from the crossings. It would also save them money from having to maintain the crossings.

The state, county and city would be out lots of money for building and maintaing new roads.

There are 35 sheets full of protests against this on file in Neoga. You can check with the city clerk or mayon of Neoga to verify protests.

Respectfully yours,



Richard C. Jahnaus
R1 Box 329
Neoga, Illinois 62447

Letter to the Editor

Dear Editor:

In the February 9th issue of the Neoga News, I noticed the article concerning the closing of the railroad crossings south of Neoga. Last year when this issue came up, there were over thirty-five sheets full of signatures of people protesting the closing of these crossings. The documents were given to our former Mayor.

I have lived and been in business in Neoga for over forty years and operated the ambulance service for several years. The only accident at that occurred at the cemetery crossing that I can recall happened a few years ago when an elderly man drove up on the tracks coming from a graveside service. There were three people who witnessed the accident and they all said that the man did not stop, or even look when he approached the crossing. I have talked with other people who have lived in the Neoga area for several years and they cannot remember any other accident at that crossing. That crossing has been open for over one hundred years. I would say the Cemetery crossing has one of the best accident-free crossing records of any crossing in the state of Illinois. Another excuse was that the crossing was too high on the east side. That crossing is no higher than the ones at Sixth or Seventh Street in the downtown area. I suppose that in a couple of years the railroad will want to close them also. Are we going to give in to the railroad again?

A few years ago the railroad closed the Ninth Street crossing. At that time I was told by one of the city council members that if the city would let the railroad close the crossing, the railroad would put one in at Twelfth Street. I have driven past Twelfth Street and I do not see the crossing. With the traffic conditions we have in the downtown area at certain times I do not feel that this would be a good idea to add to that congestion by taking the funeral processions through the

railroad, close these crossings, you will see nothing but the storage area of railroad cars for about two or three miles south of the city. Is that called beautifying the city?

I can understand why the County Engineer and the Highway Department are in favor of closing the crossings. None of them live in this area and just how many times have you seen them in our area? Anyone can go to the County Building and see that Neoga pays more tax money into the county than any other community. But we get the least back from the county, and that is how it has been for several years.

I do feel that the railroad has taken advantage of the people long enough. There are laws that govern just how long the railroad crossing can be blocked and just how close the railroad cars can be placed to the crossings. Even the old Nickel Plate still puts the cars too close to the crossings and they even block off the Fifth Street crossing for days at a time. The cities of Effingham and Mattoon do not put up with this because they enforce those laws. Why can't we do something about them?

Let's put a STOP to the closing of the railroad crossings once and for all. Please call or write to the City Council, Senator Duane Noland and State Representative Bill Mitchell. Tell them that we do not want any more railroad crossings closed. We do not want the crossing repaired, righted and railroad crossing lights put up like the ones north of Effingham.

If the City of Neoga does not have the money to maintain the Neoga Memorial Cemetery, just how can the city maintain a new road to the cemetery? Lord only knows that it will take a lot of money just to repair the driveways in the cemetery. The condition of our cemetery does not speak too highly of our city. I believe that anyone who has a loved one buried in the Neoga Cemetery would agree that things have been let go too long and it is time to start the repair.

A Concerned Citizen
Joe E. O'Dell

5 miles +

Not

Not true

Again?
Sour Grapes?

Heresay

State planning to close two Neoga railroad crossings

BY DAWN SCHABING

Staff Writer

NEOGA — At least two railroad crossings along U.S. Route 45 south of Neoga are on a list to be closed by the Illinois Commerce Commission, while a third one could see safety improvements.

The Neoga City Council Monday discussed the intentions made by the ICC about the Canadian National/Illinois Central Railroad line that carries both freight and passenger trains several times a day through the city.

The City Council agreed to request a joint effort from the state, Cumberland County, Neoga Township and the city sharing any costs that might be incurred.

The proposed project by the railroad includes construction of a road between the Neoga Memorial Cemetery Road crossing and Walnut Street at Sixth Street. A connecting road between the cemetery road and Walnut Street, with widening of Walnut Street to Sixth Street, is planned to replace two of the crossings.

The crossing at 850N along South Route 45 would receive upgrades, such as lights and gates, in the proposal. The two crossings north of that one would be closed and a road constructed to connect all three crossroads.

Mayor Gary Mercer said he has spoken to County Engineer Gary Kruger, who is in favor of

finding a way to make all three crossings connect with one road, so trains wouldn't block traffic as they do now. Kruger, he said, also intends to contact Rep. Bill Mitchell and Sen. Duane Noland about funding such a project if it is necessary.

The CN/IC railroad is concerned about the safety of the crossings, which have been the site of fatal accidents in the past when motorists were hit by oncoming trains. The closures would then allow the railroad about 1.5 miles of storage area for switching and passing movements, and that should eliminate the chance of crossing blockage in and near Neoga.

CN/IC asks that cost estimates for construction of the new road be made through the city, township and county. Some funds could be available through the Grade Crossing Protection Fund, Public Grade Crossing Project or by petitioning the Railroad Safety Program.

In other business, the council:

■ Heard the city workers will pick up live Christmas trees placed at the curbs until Feb. 16.

■ heard that the lift station at Cedar Street is about ready for bids. The city received a \$160,000 grant for the project.

■ Heard that as soon as weather permits, pothole repairs will begin on city streets.

■ Discussed a proposed personnel policy language change pertaining to accrued personal days and sick days. No action was taken since Commissioner George Warner was absent.

DATE published?

Jan, 200

Not
Correct

DATE
book

Public meetings and events

Today

4:30 p.m. Mattoon Tree
Commission meets, Peterson
House.

6:30 p.m. Mattoon City Council
meets, City Hall.

Discussions under way regarding crossings

Mayor Gary Mercer reported to the Neoga City Council Monday night that County Engineer Gary Krueger, City Clerk Patricia Ehrhart and representatives of Canadian National Railroad met last Friday to discuss the possible closing of railroad crossings south of Neoga. Ehrhart was ill and did not attend the council's regular meeting Monday, so Mercer suggested council members await her report to them at a later date. He did, however, say that he was pleased that the two groups had met and were talking.

The Illinois Commerce

Commission and Canadian crossings open but with the pro-rated accumulation of sick and personal days at the rate of one day per two months of plan to move one of the city 900N and 850N for safety reasons. The ICC plan would entail the construction of a road from between all three crossings and employment new calendar year, following department would involve expense for transferring files and Neoga to the Neoga Memorial Cemetery, the widening of 6th Street to lead to that road and the construction of a connecting road between 900N and 850N. It would also involve the installation of automatic flashing light signals and gates at 850N and crossing upgrades at all crossings between 1300N and U.S. Rte. 45. City officials favor leaving the ordinance that would provide for and analysis. He proposed acquiring

ing a used computer, but council members felt that a suggested plan to move one of the city's computers to the water department would involve expense for transferring files and possibly a danger of losing information. For that reason, they voted to allow Douglas to spend up to \$2,000 for a "bare bones" computer and his designated software. Douglas also asked the council to approve continuing a contract with IEPA for water testing and analysis. He told council members that the current contract has

When was this published

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

April 5, 2001

Ms. Patricia D. Erhart
Neoga City Clerk
P.O. Box 248
Neoga, Illinois 62447-0248

Mr. Gary Kruger
Cumberland County Engineer
R.R. #1, Box 249B
Toledo, Illinois 62468

RE: DOT 289 160P, MP 185.00-M, 950N/TR67, South of Neoga, Cumberland Co.
DOT 289 161W, MP 185.65-M, 900N/TR85, South of Neoga, Cumberland Co.
DOT 289 162D, MP 186.15-M, 850N/TR85A, South of Neoga, Cumberland Co.

Dear Ms. Erhart and Mr. Kruger:

This is in response to your letter, dated March 26, 2001, concerning possible safety improvement options for the referenced crossings. It is my understanding you are responding to my letter of February 28, 2001, with which I summarized items discussed at a meeting held on February 16, 2001, in Senator Duane Noland's Springfield office.

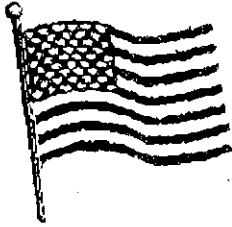
Following a review of your letter, it appears further discussion is needed to resolve the issues related to improving safety at the subject crossings. At this time, however, I would like to address the items mentioned in your letter:

- 1) Construction of a new roadway from 850N to Trowbridge Road was not what we had proposed. I apologize if you misunderstood our proposal. As was explained in Senator Noland's office on February 16th, and reiterated in a phone call between Gary Kruger and Joe VonDeBur on March 26, 2001, this office is willing to recommend to the Commission that the Grade Crossing Protection Fund (Fund) be used to pay 100% of the costs for any two of the following three combinations:
 - a) A connecting roadway from 850N to 900N constructed along the railroad right-of-way.
 - b) A connecting roadway from 900N to 950N, excluding any costs for a waterway structure.
 - c) A connecting roadway from 900N into Neoga or to Trowbridge Road.
- 2) Assistance from the Fund for the connecting roadway would cover all of the costs for Engineering ROW acquisition and Construction. Also included in these improvements would be the installation of automatic flashing light signals and gates at the 850N crossing. We would recommend the cost division for this work be 90% from the Fund and 10% from the Railroad. Upon the completion of the new connecting road, the 900N and 950N crossings would be closed.

Page Two

cc: Honorable Duane Noland, State Senator
Honorable Bill Mitchell, State Representative
Mr. Dave Johnston, Neoga Township Hwy. Commissioner
Michael Baer, ICC
Tom Zeinz, CNIC Railroad

289 1607
" 161W
" 162D



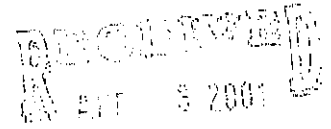
Cumberland County Highway Department

Gary L. Kruger
County Engineer

800 E. Industrial Drive
Toledo, Illinois 62468

Phone 217-849-3441
Fax 217-849-2888

March 26, 2001



Illinois Commerce Commission
RAIL SAFETY SECTION

Illinois Commerce Commission
Transportation Division/Rail Safety Section
527 East Capitol Avenue
Springfield, Illinois 62701

Re: Proposed safety improvements at highway/rail grade crossings in the Neoga area

Dear Mr. Stead and Mr. Von DeBur:

On March 12, 2001, a meeting was held at the Neoga City Building to discuss your letter of February 28, 2001, in follow up to the February 16th meeting at Senator Noland's Springfield office. Those present were Mike Walk, County Board chairman, Gary Kruger, Cumberland County Engineer, Gary Mercer, Neoga Mayor, Patricia Ehrhart, City Clerk, Lloyd Lacy, Neoga Township Supervisor and David Johnston, Neoga Township Road Commissioner.

Pat Ehrhart and Gary Kruger did not agree with the letter in regards to the list of options discussed or what they had agreed to pursue. Option 1 was not discussed; both had been told that it was not an option. Both stated they preferred AFS & G at all three crossings and the passing track relocated. Both were of the opinion that the agreement was as follows:

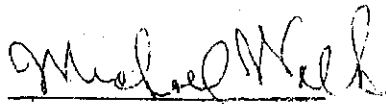
1. A road would be constructed on the railroad west of the tracks from Co Rd 850 N to 950 N and from 950 N to the Trowbridge road. The section from 950 N to the Trowbridge road would be constructed utilizing a combination of railroad property, private property and city property.
2. Funds for design, right-of-way and construction excluding the cost incurred for design and construction of the extension of the box culvert under the railroad approximately 500 feet south of Co Rd 950 N.
3. Neither Cumberland County, the City of Neoga, nor Neoga Township has sufficient staff to do the design. Therefore, the county agreed to hire and pay a consultant to prepare plans and an estimate of cost with the understanding they would be reimbursed as specified above in Item 2.
4. Upon completion of the access road, the crossings at the cemetery (Co Rd 950 N) and Co Rd 900 N would be closed.

} Phone call w/ Gary Kruger on 3-12-01 explained this was not the case.

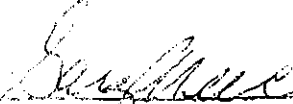
At the March 26, 2001 Neoga meeting Gary Mercer, Pat Ehrhart, Lloyd Lacy, David Johnston and Mike Walk all said the overwhelming response from local residents was to signalize the crossings and relocate the passing track. Elimination of the passing track is the only way to prevent the crossings including 850 N from being blocked for up to 45 minutes at times. County Engineer, Gary Kruger said he also supported this position (in spite of the local editorial comment to the contrary) however, due to the tone of your letter of January 23, 2001, he thought the access road from 850 N to the Trowbridge road was a reasonable compromise. He also addressed the comments you made in regard to your letter of February 22, 2000 and the lack of a formal reply. Mr. Kruger stated that in response to a November 18, 1999 ICC written request for railroad safety projects for FY 2001 thru 2005 to be submitted no later than January 30, 1999, he had submitted 12 projects of which the three Neoga crossings were priority #1, #2 and #3. He also requested the relocation of the passing track from 6th Street south to Co Rd 850 N be included in this project. He suggested moving it either to its previous location from 7th Street north to Co Rd 1200 N (this location is of equal length but would not block any crossings) or into Coles County at a location which would provide additional storage. He said he was aware that the train often stopped just short of Co Rd 800 N. The submittal also included a detailed map showing the passing track north of Neoga prior to removal of the second track and the location in Coles County, which would provide additional storage. He also stated he had heard the former Illinois Central (now known as the Canadian National Illinois Central) was currently evaluating a location in Coles County that would provide storage to accommodate longer freight trains during passing.

He said he did not respond specifically to your letter of February 22, 2000 because the three Neoga crossings were included in the April 2000 Crossing Safety Improvement Program FY 2001 - 2005 Appendix 2, pg. 8 @ \$150,000 each.

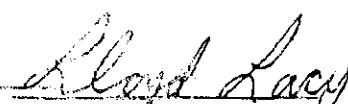
In light of the above information, the committee requests "AFLS & G" at each crossing, and a relocated passing track at no expense to the County, City or Township.



Michael Walk
County Board Chairman



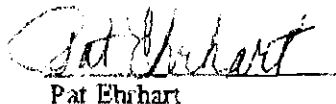
Gary Mercer
Mayor of Neoga



Lloyd Lacy
Neoga Township Supervisor



Gary L. Kruger
County Engineer



Pat Ehrhart
Neoga City Clerk



David Johnston
Neoga Township
Road Commissioner

Copy To: H. L. Forbes, District Engineer
Illinois Commerce Commission
City of Neoga
Mike Walk, County Board Chairman
Senator Duane Noland
Representative Bill Mitchell
Neoga Township
Cumberland Co. Highway Department

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Michael E. Stead

Rail Safety Program Administrator

February 28, 2001

Ms. Patricia D. Erhart
Neoga City Clerk
P.O. Box 248
Neoga, Illinois 62447-0248

Mr. Gary Kruger
Cumberland County Engineer
R.R. #1, Box 249B
Toledo, Illinois 62468

RE: DOT 289 160P, MP 185.00-M, 950N/TR67, South of Neoga, Cumberland Co.
DOT 289 161W, MP 185.65-M, 900N/TR85, South of Neoga, Cumberland Co.
DOT 289 162D, MP 186.15-M, 850N/TR85A, South of Neoga, Cumberland Co.

Dear Ms. Erhart and Mr. Kruger:

This letter is in follow-up to a meeting held on February 16, 2001, in Senator Duane Noland's office in Springfield, to discuss the options for improving safety at the referenced public highway/rail grade crossings. We appreciated having the opportunity to discuss the issues with both of you. Following is a brief summary of options discussed at the meeting:

1. Keep all three crossings open and install automatic flashing light signals and gates ("AFLS&G") at each location.
2. Close the 950N crossing and construct a connecting road north into, or near, Neoga. (This project could be done as a stand-alone project or as a phase of a larger project.)
3. Close the 900N crossing, construct a connecting road south to 850N and install AFLS&G at 850N. (This could also be done as a stand-alone project or as Phase II of a Option 2/Option 3 project.)
4. Close the 900N crossing and construct a connecting road north to 950N. This would be done in conjunction with Option 2 so that the connecting roadway would reach into/near Neoga. (This could be done as Phase II of an Option 2/Option 4 project.)

Option 1 is a type of project normally handled by the use of the Commission's Stipulated Agreement Process. The costs would be divided 85% to the Grade Crossing Protection Fund ("Fund"), 10% to the Local Agency sponsoring the project, and 5% to the Railroad. The Railroad would also assume responsibility for all operating costs associated with the new automatic warning devices. For a project of this type involving

Ms. Patricia D. Erhart and Mr. Gary Kruger

February 28, 2001

Page 2

multiple tracks and two railroads, the addition of AFLS&G could be in the \$200,000 range for each crossing. With three crossings, the Local Agency portion of the costs would be approximately \$60,000, plus any necessary highway approach improvement costs.

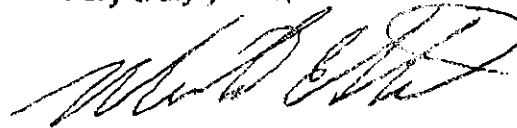
Options 2, 3 and 4 can be accomplished via the Stipulated Agreement process, if the Township agrees to vacate/abandon the roadway adjacent to each crossing. If the Township chooses not to abandon the roadways, a Petition would have to be filed for the closures. In the case of Options 2 or 3, we would recommend the Fund pay for the cost of the connecting road, including engineering, up to the cost of installing AFLS&G at the closed crossing.

For Option 4, we would recommend the Fund pay 100% of the cost to build a connecting roadway, including engineering costs, from the 900N crossing northward to the 950N crossing/connecting road (Option 2). Construction of the roadway between 900N and 950N would also require the addition of a waterway structure. The costs for this structure, both engineering and construction, would be borne by the local roadway authority (in this case Neoga Township).

Enclosed you will find a Rail Crossing Safety Improvement Program, *Public Grade Crossing Application* for your use (also available on the Commission web site at www.icc.state.il.us/icc/rr/crossing.asp). An application should be completed for each crossing at which you would like to propose changes.

If you have any questions, or need additional information, please contact Joe VonDeBur, Railroad Safety Specialist, at 217/557-1286 or jvondebu@icc.state.il.us.

Very truly yours,



Michael E. Stead
Rail Safety Program Administrator

JV

cc: Mr. Dave Johnson, Neoga Township Hwy. Commissioner
Honorable Duane Noland, State Senator
Honorable Bill Mitchell, State Representative
Michael Baer, ICC
Tom Zeinz, CNIC Railroad

Enclosures

STATE OF ILLINOIS



ILLINOIS COMMERCE COMMISSION

Charles E. Fisher
Executive Director

Margaret Barnabee
Director of Governmental Affairs

November 22, 2000

The Honorable Duane Noland
State Senator
788 North Sunnyside Road, Suite 1
Decatur, Illinois 62522

Dear Senator Noland:

Thank you for your correspondence on behalf of your constituent, Richard Jahraus, concerning railroad crossings in the area of Neoga, Illinois.

According to the Commission's Rail Safety Section, there are currently no plans for safety improvements at any of the crossings mentioned in Mr. Jahraus' letter. The Illinois Central Railroad Company (ICRR), the Illinois Department of Transportation (IDOT), the City of Neoga (City), the Neoga Township Highway Department (Township), the Cumberland County Highway Department (County), and Commission staff have been attempting to negotiate improvements at the first three crossings south of Neoga since 1996. It is our understanding that local officials (City, Township, County) have been reluctant to cooperate with railroad and Commission staff to reach an agreement on the appropriate safety improvements for the crossings. Without the cooperation of all the parties, it is likely that existing conditions at the crossings will remain unchanged.

If any of the local agencies listed above submit a project application, the Commission's Rail Safety Section will review the application to determine when the project can be included in the Commission's Crossing Safety Improvement Program (Program). Project applications for the Commission's FY 2002-2006 five year program are being accepted until January 15, 2001. Project applications submitted after that date will be considered as part of the FY 2003-2007 program.

The Reliant Energy Plant crossing and the farm crossing are both private: established by agreement between the landowners and the railroad company. Private crossings do not fall under the purview of the Commission. Any safety improvements to these crossings must be negotiated by the property owners directly with the railroad.

I trust this information will be helpful in responding to your constituent. If you have any further questions, please do not hesitate to contact me.

Sincerely,

Cassie Washko
Legislative Assistant
Office of Governmental Affairs